

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Oren J. Warshavsky

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

Presentment Date: January 22, 2020
Time: 10:00 a.m.

Objection Deadline: January 17, 2020
Time: 11:00 a.m.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, *et al.*

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-01364 (SMB)

**NOTICE OF PRESENTMENT OF MOTION FOR THE ISSUANCE OF A LETTER OF
REQUEST FOR THE EXAMINATION OF WILHELM HOLZER**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § 1781, this Court's inherent authority, and in light of the comity between the United States and Austria and upon the accompanying Motion for an Order Issuing a Letter of Request (the "Motion"), Irving H. Picard, as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, substantively consolidated with the Chapter 7 estate of Bernard L. Madoff, through his undersigned counsel, will present the proposed Order Issuing a Letter of Request for Service Abroad of Judicial or Extrajudicial Documents in Civil or Commercial Matters (the "Order"), annexed hereto, to The Honorable Stuart M. Bernstein, United States Bankruptcy Judge, for signature on **January 22, 2020, at 10:00 AM**.

PLEASE TAKE FURTHER NOTICE that any objection to the Motion ("Objection") shall: (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders; (iii) specify the name of the objecting party and state with specificity the basis of the Objection(s) and specific grounds therefor; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of The Honorable Stuart M. Bernstein, One Bowling Green, New York, New York, 10004; (v) be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Oren J. Warshavsky, Esq.; and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq., so as to be received no later than **11:00 AM on January 17, 2020**.

PLEASE TAKE FURTHER NOTICE that if an Objection is timely served and filed, a hearing may be held before The Honorable Stuart M. Bernstein, United States Bankruptcy Judge on a date to be scheduled by the Court, upon such additional notice as the Court may direct. The

moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

PLEASE TAKE FURTHER NOTICE that unless Objections are timely served and filed, the proposed Order may be signed without a hearing.

The Trustee made no prior request to this Court or to any other court for the relief requested by the Motion.

Dated: New York, New York
January 10, 2020

Respectfully submitted,

/s/ Oren J. Warshavsky

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Email: dsheehan@bakerlaw.com

Oren J. Warshavsky

Email: owarshavsky@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of Bernard
L. Madoff Investment Securities LLC and the Chapter 7
Estate of Bernard L. Madoff*